

Exhibit “C”

50-h Hearing Transcript

CHARLES SALDARRIAGA

BLA # [REDACTED]

- x

In the Matter of the Claim of
CHARLES SALDARRIAGA,

Claimant,

-against-

THE CITY OF NEW YORK,

Respondent.

- x

DATE: October 24, 2024

TIME: 12:30 p.m.

50-H HEARING of CHARLES SALDARRIAGA, the
Claimant in the above-entitled action, held
at the above time and place, pursuant to
Notice, taken before MARISA MCMAHON, a
shorthand reporter and Notary Public within
and for the State of New York.



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2 A p p e a r a n c e s :

3

LEBEDIN KOFMAN, LLP

4

Attorneys for Claimant

5

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

BY: JESSICA GORMAN, ESQ.

6

7

KREZ & FLORES, LLP

8

ATTORNEYS for Respondent

9

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

BY: KAREN DROTZER, ESQ.

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[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

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1 SALDARRIAGA

2 COURT REPORTER: It is hereby
3 stipulated and agreed by and
4 between counsel for all parties
5 present, this hearing is being
6 conducted remotely by video
7 conference, and that the court
8 reporter, witness and all counsel
9 are in separate remote locations
10 and participating via Zoom or any
11 web conference meeting platform
12 under the control of the court
13 reporting agency.

14 It is further stipulated that
15 this videoconference will not be
16 recorded in any manner and that any
17 recording, without the express
18 written consent of all parties,
19 shall be considered unauthorized.

20 Before I swear in the witness, I
21 will ask counsel to stipulate on
22 the record that the court reporter
23 may swear in the deponent, even
24 though she is not in the physical
25 presence of the deponent, and that



1 SALDARRIAGA

2 there is no objection to that at
3 this time, nor will there be an
4 objection to it at a future date.

5 MS. DROTZER: So stipulated.

6 MS. GORMAN: So stipulated.

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8 (Whereupon, the witness was
9 asked to show proof of identity.)

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1 SALDARRIAGA

2 C H A R L E S S A L D A R R I A G A , the
3 witness herein, having been first duly sworn
4 by a Notary Public of the State of New York,
5 was examined and testified as follows:

6 EXAMINATION BY

7 MS . DROTZER:

8 Q. State your name for the record,
9 please.

10 A. **Charles Saldarriaga.**

11 Q. State your address for the record,
12 please.

13 A. [REDACTED]

14 [REDACTED]
15 Q. Mr. Saldarriaga, my name is Karen
16 Drotzer and I represent the City in this
17 matter. I'm going to be asking you a series
18 of questions today about an incident that
19 occurred a while ago. If you don't
20 understand one of my questions, tell me and
21 I will try and rephrase it for you. I ask
22 that you speak up loud and clear and that
23 you answer with words and not gestures,
24 because the court reporter can't take those
25 down. Okay?



1 SALDARRIAGA

2 **A. Okay.**

3 Q. What is your full name?

4 **A. Charles Saldarriaga.**

5 Q. Do you have a middle name?

6 **A. No.**

7 Q. Have you before been known by any
8 other names?

9 **A. No.**

10 Q. How old are you?

11 **A. 37.**

12 Q. What is your date of birth, with the
13 understanding I need your full date of
14 birth, but the reporter will only take the
15 year?

16 **A. [REDACTED]**

17 Q. I need your full social security
18 number, but we will keep it off the record.

19 **A. XXX-XX-XXXX.**

20 Q. Are you married?

21 **A. No.**

22 Q. Do you have any children?

23 **A. I do.**

24 Q. How many?

25 **A. Two.**



1 SALDARRIAGA

2 Q. Are they under 18?

3 **A. Yes.**

4 Q. Just their initials on the record,
5 what are their names and ages?

6 A. My daughter she is [REDACTED]
7 years old and I have a son, [REDACTED].
8 [REDACTED].

9 Q. How old is he?

10 A. [REDACTED]

11 Q. Were you children living with you at
12 the time of the incident?

13 A. No.

14 Q. What is the highest level of
15 education you have completed?

16 A. College education. I was going into
17 -- I was pursuing my Bachelor's degree.

18 Q. What college were you going to?

19 A. I was going to John Jay.

20 Q. Do you know how many credits you
21 have?

A. I can't recall exactly how many.

23 Q. Were you going to school at the time
24 of the incident?

25 A. No, I was not.



1 SALDARRIAGA

2 Q. Do you have any trade school or
3 vocational training?

4 A. No, I do not.

5 Q. At the time of the incident were you
6 a member of any unions?

7 A. No.

8 Q. Are you a veteran?

9 A. No.

10 Q. Where were you born generally?

11 A. [REDACTED] [REDACTED].

12 Q. What is your height and approximate
13 weight?

14 A. About 6 foot 1 and I want to say 185
15 pounds approximately.

16 Q. Have you gained weight or lost
17 weight as a result of incident or is your
18 weight about the same?

19 A. It has fluctuated. At one point I
20 did lose about 20 pounds and then I gained
21 some back.

22 Q. Did you feel that's as a result of
23 the incident or other reasons?

24 A. In conjunction with that and other
25 situations I was going through.



SALDARRIAGA

2 Q. At the time of the incident we are
3 here for today, were you receiving any
4 benefits from Medicare or Medicaid?

5 A. [REDACTED]

6 Q. At the time of the incident were you
7 receiving any benefits from social security
8 disability?

9 A. [REDACTED]

10 Q. At the time of the incident were you
11 receiving Workers' Comp or unemployment?

12

13 Q. How long have you been living at
14 1-20 Astoria Boulevard?

A. Since 2000 I think, rough estimate.

16 Q. Were you living there at the time of
17 the incident?

18 A. Yes.

19 Q. Were you living there with anyone
20 else around the time of the incident?

21 A. I think it was -- my brother was
22 staying with me, one of my brothers, but he
23 left shortly after. I just can't recall
24 which month he left.

25 Q. Was your brother living with you at



1 SALDARRIAGA

2 the time, visiting for a week or something
3 else?

4 **A. He was living with me.**

5 Q. Is he an adult?

6 **A. Yes.**

7 Q. What is his name?

8 **A. [REDACTED]**

9 Q. At the time of the incident were you
10 employed?

11 **A. Yes.**

12 Q. Who was your employer at the time?

13 **A. Network for Teaching**

14 **Entrepreneurship, it's abbreviated NFTE.**

15 Q. How long had you been working for
16 them at the time of the incident,
17 approximately?

18 **A. Since April of 2018.**

19 Q. What was your job with NFTE at the
20 time?

21 **A. When I first started or when I --**

22 Q. At the time of the incident?

23 **A. Financial analyst.**

24 Q. At the time of the incident were you
25 working there full time or part time?



1 SALDARRIAGA

2 **A. Full time.**

3 Q. Approximately how many hours a week?

4 **A. About 40.**

5 Q. What were you earning around the
6 time of the incident?

7 **A. On an hourly or salary based?**

8 Q. Salary, hourly, whichever way you
9 can tell?

10 **A. Yearly, roughly maybe 80.**

11 Q. A year?

12 **A. Yes.**

13 Q. Did you lose time from work as a
14 result of the incident?

15 **A. For that incident, because I'm
16 salary, so it's -- I took two days off.**

17 Q. You had to use two days of your sick
18 pay?

19 **A. PTO.**

20 Q. Did you go back to work at network
21 teaching?

22 **A. Yes.**

23 Q. Are you still there?

24 **A. Yes.**

25 Q. Was there any kind of probation



1 SALDARRIAGA

2 involved as a result of this incident or any
3 kind of disciplinary action?

4 **A. I never mentioned it to my employer
5 to be honest.**

6 Q. Have you ever been convicted of a
7 felony as an adult?

8 **A. No.**

9 Q. Have you brought any claims or
10 lawsuits against the City of New York other
11 than the one we are here for today?

12 **A. I have filed a claim with the
13 comptroller's office.**

14 Q. Other than the one we are here for
15 today have you filed any other ones?

16 **A. Not that I recall.**

17 Q. Have you brought any lawsuits or
18 claims against New York State?

19 **A. No.**

20 Q. In the 24 hour period leading up to
21 the incident we are here for today, did you
22 have anything alcoholic to drink?

23 **A. No.**

24 Q. Were you taking any medications at
25 the time of the incident?



1 SALDARRIAGA

2 **A. No.**

3 Q. Were there any medications were you
4 supposed to be taking at the time of the
5 incident that you didn't take that day?

6 **A. No.**

7 Q. At the time of the incident were you
8 treating with any doctors on a regular basis
9 for any medical problems?

10 **A. After the incident?**

11 Q. Before the incident.

12 **A. No.**

13 Q. Did you report the incident to
14 Internal Affairs or the Civilian Complaint
15 Review Board?

16 **A. I believe I did.**

17 Q. Do you remember who you reported it
18 to, which one?

19 **A. I had a conversation with someone at**
20 **the CCRB office, but they closed the case**
21 **pending litigation.**

22 Q. Can you tell me the date and
23 approximate time of the incident?

24 **A. 27th of March and the time you said?**

25 Q. Approximate time?



1 SALDARRIAGA

2 **A. About 1:45 about.**

3 **Q. A.m. or p.m.?**

4 **A. P.m.**

5 **Q. Where did the incident occur, where**
6 **did it start?**

7 **A. I can't recall the exact address, I**
8 **know it was on Steinway Street in Queens**
9 **Astoria.**

10 **Q. Steinway Street?**

11 **A. Yes.**

12 **Q. Do you remember any of the cross**
13 **streets near where the incident occurred?**

14 **A. I know one of the streets was**
15 **probably like 30th Avenue, but I was in the**
16 **middle of the block, so I can't recall what**
17 **the other avenue is. I just know it was on**
18 **Steinway Street.**

19 **Q. And you are saying Steinway,**
20 **correct?**

21 **A. Correct.**

22 **Q. At the time of the incident were you**
23 **on foot, in a car, something else?**

24 **A. I was in a vehicle.**

25 **Q. What kind of vehicle were you in?**



1 SALDARRIAGA

2 **A. Range Rover 2020 Evoke.**

3 Q. Was it yours, someone else's?

4 **A. It's registered to my brothers.**

5 Q. Your brothers?

6 **A. My brother, Andres.**

7 Q. What is his last name?

8 **A. Same last name, Saldarriaga.**

9 Q. Is he over 18?

10 **A. Yes.**

11 Q. Was he in the car at the time of the
12 incident?

13 **A. He was not.**

14 Q. Did you have his permission to use
15 the car?

16 **A. Yes.**

17 Q. At the time of the incident, did you
18 have a valid driver's license?

19 **A. Yes.**

20 Q. Was it New York, another state?

21 **A. New York.**

22 Q. To your knowledge, was the car
23 registered and insured?

24 **A. Yes.**

25 Q. Did it have plates on it?



1 SALDARRIAGA

2 **A. It did.**

3 Q. Were they permanent or temporary?

4 **A. Permanent.**

5 Q. Were they New York or another state?

6 **A. New York.**

7 Q. Do you know how long your brother
8 had the car at the time?

9 **A. Maybe about almost two years I would
10 stay.**

11 Q. Did the car have tints?

12 **A. Yes.**

13 Q. At the time the incident occurred,
14 was the car you were in driving in motion,
15 was it parked?

16 **A. It was double parked.**

17 Q. Double parked on Steinway Street?

18 **A. Yes.**

19 Q. Were you seated on the driver's seat
20 at the time the incident occurred?

21 **A. I was in the driver's seat.**

22 Q. Was the ignition on?

23 **A. Yes.**

24 Q. Were you wearing a seatbelt at the
25 time?



1 SALDARRIAGA

2 **A. I was.**

3 Q. Was anyone else in the car with you?

4 **A. Yes.**

5 Q. Who else was in the car?

6 **A. Carlos Caballero.**

7 Q. Can you spell his last name?

8 **A. C-A-B-A-L-L-E-R-O.**

9 Q. Anyone else in the car with you?

10 **A. No.**

11 Q. Where was Carlos seated?

12 **A. Passenger side.**

13 Q. Front passenger?

14 **A. Yes.**

15 Q. Was he wearing a seat belt as well?

16 **A. He was up until he was exiting the**
17 **vehicle.**

18 Q. How long had you been parked there
19 when the incident occurred?

20 **A. Maybe like five minutes.**

21 Q. What, if anything, were you doing in
22 the car for the five minutes before the
23 incident started?

24 **A. At that time I was on lunch break.**

25 **I was eating as I was waiting for him.**



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SALDARRIAGA

2 Q. When you say you were waiting for
3 him, was he in the car, coming towards the
4 car or something else?

5 **A. He had exited the vehicle and he was
6 going to be right back, so.**

7 Q. At the time the incident started was
8 he back or were you alone in the car?

9 **A. He had just gotten back in the car.**

10 Q. Can you tell me what happened at
11 approximately 1:45 while were you in the
12 car?

13 **A. Yes, so I was stationed or parked, I
14 was waiting for Carlos and I see a vehicle
15 flashing red and white lights, kind of
16 flashing in the reflection in my rear view
17 mirror is what caught my attention. I
18 looked to see if maybe it was an emergency
19 vehicle that was trying to get by but it
20 didn't seem that was the case. It was then
21 I would say two minutes after I get a knock
22 on my window the front driver's side. I
23 lowered the window and I see a guy in plain
24 clothes asking for my license registration
25 and insurance.**



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SALDARRIAGA

2 Q. Did that person identify themselves
3 as a police officer?

4 **A. No.**

5 Q. Did you know that was a police
6 officer at the time?

7 **A. I did not, I presume it was because**
8 **of the flashing lights. The vehicle was**
9 **unmarked as well.**

10 Q. Did they have any kind of badge
11 around their necks?

12 **A. No.**

13 Q. Was it one person who came over,
14 more than one?

15 **A. Just one person.**

16 Q. Was that person in street clothes?

17 **A. Yes.**

18 Q. When they asked you for your license
19 and registration and insurance did you
20 provide that or something else?

21 **A. I did provide it.**

22 Q. Did the police officer say why they
23 had come over?

24 **A. They did not.**

25 Q. After you gave your license,



1 SALDARRIAGA

2 registration and insurance, what happened
3 next?

4 **A. He asked me some questions and he
5 went back into his vehicle.**

6 Q. What kind of questions did he ask
7 you?

8 **A. Where I was from and is the car --
9 was it my car that I was driving.**

10 Q. Did you go back to the vehicle with
11 your IDs and insurance?

12 **A. I did, yes, he did.**

13 Q. What is the next thing that
14 happened?

15 **A. So I -- the situation was peculiar
16 to me. So I ended up calling 911 and for
17 some reason I couldn't get through. I
18 called about seven times and the reason why
19 I called is because I have seen many stories
20 about people impersonating officers, so I
21 was very nervous about the situation,
22 because it was very odd to me and I just for
23 my own safety I wanted to ensure there was
24 an actual patrol unit in uniform to come and
25 verify that the person who asked for this**



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SALDARRIAGA

2 information was an actual officer. In the
3 time that I was making those calls I
4 remember Carlos got out the car to record
5 his vehicle just in case, just for safety
6 reasons, he was recording and that's all I
7 remember.

8 Q. So at some point after that person
9 came over Carlos came back to the car?

10 A. Yes, so he actually got in the car
11 and then that's when I got the knock on my
12 window.

13 Q. Was Carlos asked for his ID as well?

14 A. He was.

15 Q. And while the person went away from
16 your vehicle Carlos started recording?

17 A. Yes, when I started to make the 911
18 call he got out the vehicle to record just
19 to capture his license plate.

20 MS. DROTZER: We would request a
21 copy of any recording Carlos made
22 with respect to the incident be
23 provided directly to the City.

24 Q. The police officer is checking your
25 documents and Carlos is recording at this



1 SALDARRIAGA

2 point?

3 **A. Yes.**

4 Q. What happened next?

5 A. After I got through the 911 call
6 they asked me a series of questions
7 regarding the incident and I did ask that a
8 patrol unit uniform clothes come to the
9 scene and they said they would be there in a
10 few minutes, so I would say maybe about ten
11 minutes or so, maybe less, I can't -- it's a
12 rough approximate time frame. A unit did
13 pull behind the guy I guess who stopped me
14 -- his car was behind mine and the patrol
15 unit was behind his if that makes sense.

16 Q. When you say patrol unit, was it a
17 regular police car that came?

18 A. Yes.

19 Q. Were there officers in there?

20 A. Yes.

21 Q. How many?

22 A. Two.

23 Q. Were they in uniform?

24 A. Yes.

25 Q. When they came to the scene, what



1 SALDARRIAGA

2 happened next?

3 **A. That's when the guy that had knocked**
4 **on my window, he came to the driver's side**
5 **again and told me step out the vehicle.**

6 Q. Did he tell you why he wanted you to
7 step out?

8 **A. No.**

9 Q. Did he ever -- at the scene, were
10 you ever told why they had come over to your
11 vehicle?

12 **A. What was the question?**

13 Q. While you were still at the scene,
14 did anyone tell you why he had come over to
15 the car in the first place?

16 **A. He mentioned something about my**
17 **license plates and that's all I remember.**
18 **He mentioned something about my license**
19 **plate. It was very odd to me, so I asked**
20 **the other two officers, like I don't**
21 **understand what is going on. They shrugged**
22 **their shoulders because they just got to the**
23 **scene, so they didn't really have any**
24 **information to give me. They said they**
25 **would explain everything back at the**



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SALDARRIAGA

2 **precinct.**

3 Q. When the first officer told you to
4 step out of the vehicle, did you get out?

5 **A. Yes.**

6 Q. When you got out, what happened
7 next?

8 **A. We walked towards the back of the**
9 **vehicle and then he asked me a question, I**
10 **can't recall what the question was and right**
11 **then he just seemed agitated and he told me**
12 **to put my hands behind my back.**

13 Q. Did you comply?

14 **A. Yes.**

15 Q. Were you handcuffed?

16 **A. I was handcuffed.**

17 Q. Did you resist being handcuffed?

18 **A. No.**

19 Q. Did he tell you why you were being
20 arrested at that time?

21 **A. He said he would explain everything**
22 **at the precinct.**

23 Q. Were you searched?

24 **A. I was searched, yes.**

25 Q. It was a pat down type search?



1 SALDARRIAGA

2 **A. Yes.**

3 Q. Was any contraband found on you?

4 **A. No.**

5 Q. Was the car searched?

6 **A. The vehicle was searched.**

7 Q. Did you give permission for the
8 search?

9 **A. No.**

10 Q. Were you told any contraband was
11 found in the car?

12 **A. Contraband, no.**

13 Q. Were you told any drugs or weapons
14 were found in the car?

15 **A. No drugs, no weapons.**

16 Q. Was Carlos arrested?

17 **A. No, he was not. In fact they asked**
18 **him if he had -- they needed to see his**
19 **driver's license so he could drive off the**
20 **vehicle.**

21 Q. Was Carlos allowed to take the
22 vehicle?

23 **A. He did not have a valid driver's**
24 **license.**

25 Q. What happened with respect to the



1 SALDARRIAGA

2 vehicle? Was it towed, driven somewhere?

3 A. When I was put in back of the patrol
4 car, he parked his car on the side street
5 got into the vehicle I was in and he was
6 driving behind the patrol car I was in back
7 to the precinct.

8 Q. When you say he, you are talking
9 about the officer?

10 A. Yes.

11 Q. Your car was driven to the precinct?

12 A. Yes.

13 Q. After you were handcuffed were you
14 put in a car or a van?

15 A. When I was handcuffed I was put in
16 the patrol unit that had arrived when I
17 called for additional officers to come to
18 the scene.

19 Q. Where were you taken?

20 A. I was taken to 114th precinct.

21 Q. Did you recognize any of the
22 officers who were at the scene from any
23 prior encounters?

24 A. Never.

25 Q. When you got to the 114th precinct,



1 SALDARRIAGA

2 what happened?

3 **A. They searched me again.**

4 Q. Was it a pat down type search at
5 that point?

6 **A. It was another pat down.**

7 Q. Was any contraband found on you?

8 **A. No. I was trying to think when I**
9 **got to the 114th precinct walking into the**
10 **precinct, they ask that I stand in front of**
11 **a desk, they asked me some questions in**
12 **regards to my son and then I was led to a**
13 **cell.**

14 Q. What son were you asked questions
15 about?

16 **A. I carry a picture with him in the**
17 **vehicle, any vehicle I'm in, he had passed**
18 **away, so I just carry a picture with him.**
19 **So they had asked me something about it.**

20 Q. About the photo?

21 **A. Yes.**

22 Q. How old was at the?

23 **A. [REDACTED].**

24 Q. Other than questioning you about the
25 photographs, were you questioned about



1 SALDARRIAGA

2 anything else?

3 A. When I was put in a cell, I remember
4 two officers, they led me out the cell, they
5 brought me, I guess there is another room
6 and they asked me why was I arrested.

7 Q. Are you saying they took you to a
8 room and asked you questions, is that what
9 you are saying?

10 A. Yes, they wanted more information as
11 to why I was there.

12 Q. Were you read your Miranda rights
13 before you were questioned?

14 A. No.

15 Q. Were you fingerprinted?

16 A. Yes.

17 Q. Were you photographed?

18 A. Yes.

19 Q. Were you put in a cell?

20 A. Yes.

21 Q. While you were at the precinct were
22 you told why you had been arrested?

23 A. Hours later they said that there was
24 something wrong with my plates.

25 Q. Did they ever come to find out what



1 SALDARRIAGA

2 they thought was wrong with your plates?

3 **A. They never mentioned anything. I**
4 **come to find out what the issue really was**
5 **when I seen the voucher receipts that they**
6 **gave me.**

7 Q. For the car?

8 **A. Correct.**

9 Q. What did you come to find out?

10 **A. They claimed the plates were**
11 **counterfeit.**

12 Q. Approximately how long were you at
13 the precinct?

14 **A. It was maybe like six, eight hours**
15 **maybe.**

16 Q. Then were you taken to somewhere
17 else?

18 **A. Yes. So initially the arresting**
19 **officer had asked the precinct to take me**
20 **down to bookings, but they refused and so**
21 **they had to take me in his vehicle that they**
22 **had pulled behind me at the scene at the**
23 **time of the incident.**

24 Q. Do you know why he refused to take
25 you?



1 SALDARRIAGA

2 **A. I don't know. I can't recall.**

3 Q. Did someone take to you central
4 booking from the precinct?

5 **A. He did.**

6 Q. When you got there what happened?

7 **A. I went through metal detectors, I**
8 **got searched I was put in a bigger holding**
9 **cell and I was to wait for them to process**
10 **me in order for me to see a judge.**

11 Q. Were you photographed again in
12 central booking?

13 **A. I was.**

14 Q. Were you fingerprinted again?

15 **A. I can't recall if I was**
16 **fingerprinted again. I know I was**
17 **photographed.**

18 Q. Were your eyes scanned, did they
19 take a picture of your eyes?

20 **A. Not of my eye, it was a photograph.**

21 Q. While you were at central booking
22 were you told the specific charges?

23 **A. No.**

24 Q. Approximately how long were you at
25 central booking?



1 SALDARRIAGA

2 A. I think I was there for maybe two to
3 three hours before I asked to speak to a
4 nurse. After I spoke to a nurse I ended up
5 going to the emergency room.

6 Q. For what reason did you see the
7 nurse?

8 A. I was having bad palpitations and I
9 was feeling light headed. I had to ask for
10 water multiple times and none of the
11 officers gave me water, so I had to drink
12 water off the sink.

13 Q. Had you ever had palpitations before
14 this?

15 A. After my son passed.

16 Q. At the time of the incident were you
17 going for any counseling or taking any
18 medications?

19 A. I did see a grief counselor for a
20 few months.

21 Q. Were you taking any medications, any
22 psych medications at the time?

23 A. No.

24 Q. What hospital did they take you to?

25 A. Mount Sinai.



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SALDARRIAGA

2 Q. Did they take you to the emergency
3 room there?

4 **A. Yes.**

5 Q. What did they do for you at the
6 emergency room?

7 **A. [REDACTED]**

8 [REDACTED].

9 Q. Did they give you any medication?

10 **A. No, not that I recall.**

11 Q. Did they give you a diagnosis?

12 **A. No.**

13 Q. Did they tell you the results of the

14 [REDACTED]

15 **A. Yes.**

16 Q. What did they tell you?

17 **A. That it was normal.**

18 Q. Approximately how long were you at
19 the emergency room?

20 **A. Maybe like three hours maybe. I
21 really can't. I don't recall. I had no
22 time with me. It's hard to tell.**

23 Q. Then were you taken back to central
24 booking?

25 **A. I was.**



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SALDARRIAGA

2 Q. How long did you remain at central
3 booking after the hospital visit?

4 A. I got to see a judge around 11:30.

5 Q. 11:30 a.m. or p.m.?

6 A. A.m.

7 Q. Do you remember what day that was?

8 A. The 28th.

9 Q. When you went in front of the judge,
10 what happened?

11 A. I spoke to a Legal Aid and at the
12 hearing it was adjourned, the hearing was
13 adjourned and I was advised to get my own or
14 retain my own attorney.

15 Q. You were released after you saw the
16 judge?

17 A. Yes.

18 Q. Did the judge tell you what your
19 charges were?

20 A. Yes.

21 Q. Do you know what the charges were?

22 A. Forgery.

23 Q. Was that with respect to the plate
24 or something else?

25 A. Since that's the only thing he



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2 mentioned I had assumed that perhaps, but I
3 didn't understand the charges or what it was
4 related to. That's all I know that I was
5 just charged with forgery.

6 Q. Did you have to go to court after
7 that?

8 A. Yes.

9 Q. How many times did you have to go to
10 court?

11 A. I'm not sure if it was two or three
12 times.

13 Q. What happened the last time you went
14 to court?

15 A. The last time I went to court the
16 case was dismissed.

17 Q. Was it dismissed outright, did you
18 take what's called an ACD?

19 A. I did not take an ACD. It was
20 dismissed out right.

21 Q. Were you ever told at some point --

22 MS. GORMAN: It was speedy
23 trial.

24 Q. Do you remember what date it was
25 dismissed, if you know?



1 SALDARRIAGA

2 A. I can't recall.

3 Q. Did you use a private attorney to
4 represent you or did you use court
5 appointed?

6 A. No, I retained my own attorney.

7 Q. Did you have to pay money for that?

8 A. Yes.

9 Q. How much did you spend on that?

10 A. I think it was about approximately
11 [REDACTED] something.

12 Q. What happened with respect to the
13 car?

14 A. After I was released the following
15 day, the 29th, I'm not sure if it was the
16 29th or the 30th, I went to go pick up the
17 vehicle and I had to present the voucher at
18 the precinct. They released the vehicle to
19 me and before anything I went to inspect the
20 vehicle, so I went around the vehicle, I got
21 in I make sure everything was in tact. Turn
22 vehicle on and then I drove the vehicle and
23 I remember trying to listen to music, but
24 the radio was completely messed up, I
25 couldn't. It was not working, I couldn't



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2 **change the channels or anything on the**
3 **radio.**

4 Q. Did you have to pay everything when
5 you got the vehicle, did you have to pay any
6 kind of fee?

7 **A. No.**

8 Q. When you looked at the vehicle, was
9 there any damage to the outside of the
10 vehicle?

11 **A. There was a puncture hole near the**
12 **license plate on the back, the rear side.**
13 **To me it kind of seemed like it could have**
14 **been a screwdriver or something. I believe**
15 **in an effort to remove the plates.**

16 Q. When you say a puncture hole, how
17 big was it?

18 **A. Maybe quarter inch. Wasn't that**
19 **big.**

20 Q. Was there any damage you observed to
21 the outside of the vehicle?

22 **A. Not that I recall.**

23 Q. When the radio didn't work, was
24 there anything else that didn't work after
25 you got it back?



1 SALDARRIAGA

2 **A. No, it was just radio.**

3 Q. Do you have the radio repaired?

4 **A. Yes.**

5 Q. How much did the radio cost?

6 **A. Roughly 4,000 or so.**

7 Q. Did you pay that, did your brother
8 pay that or something else?

9 **A. I had to pay it.**

10 Q. Did you pay it?

11 **A. Yes.**

12 Q. Was there any insurance on your car
13 to your knowledge?

14 **A. The car was insured.**

15 Q. Do you know if you had to pay any of
16 the cost?

17 **A. No.**

18 Q. Do you know where it was repaired?

19 **A. Range Rover in Manhattan.**

20 Q. Did you spend any money
21 out-of-pocket, other than the attorney's
22 fees and the cost for the repairs?

23 **A. I know I was receiving bills from**
24 **Mount Sinai. I don't remember seeing what**
25 **the amount was. I know it was a bill from**



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SALDARRIAGA

2 **Mount Sinai.**

3 Q. Are you aware of any witnesses to
4 the arrest, other than yourself and the
5 police?

6 **A. Besides Carlos, I don't know anyone
7 else.**

8 Q. Did you post anything on social
9 media about what happened?

10 **A. No.**

11 Q. Do you know if anyone took any
12 photos or videos of the arrest?

13 **A. No.**

14 Q. Do you know if there was any media
15 coverage of the incident, news stations?

16 **A. No, I haven't searched.**

17 Q. Did you go for any medical treatment
18 after your release?

19 **A. Medical treatment after my release,
20 not that I can recall. But I know that I
21 inquired to speak to a [REDACTED]**

22 Q. When did you inquire about that, or
23 to who did you inquire?

24 **A. Must have been shortly after. It
25 was an office in Manhattan. I would have to**



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SALDARRIAGA

2 **get the name. I don't have the information**
3 **with me.**

4 Q. Did you call your primary care
5 doctor, did you look for a [REDACTED] or
6 something else?

7 A. I was looking for a [REDACTED]

8 Q. Did you make any appointments?

9 A. I did not.

10 Q. Have you gone for any kind of
11 counseling as a result of the incident?

12 A. No. I have a strong support system,
13 which kind of helps with the counseling if
14 you will. Otherwise I would have been
15 seeking counseling.

16 Q. Do you have any continuing physical
17 symptoms as a result of the accident?

18 A. I have had a number of occasions
19 where I would have like nightmares about it
20 and then I wake up with my heart racing.

21 Q. How often does that happen?

22 A. It would just happen a few times
23 from what I can recall.

24 Q. Do you remember the last time it
25 happened?



1 SALDARRIAGA

2 **A. Maybe like two months ago.**

3 MS. DROTZER: Off the record.

4 (Whereupon, a discussion was
5 held off-the-record.)

6 MS. DROTZER: I just have to
7 advise counsel, no changes to your
8 Notice of Claim can be made orally
9 at this hearing. Any change to
10 your notice of claim must be made
11 pursuant to the general municipal
12 law. Thank you everyone. I have
13 no further questions.

14

15 (Time noted 1:17 p.m.)

16

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1 SALDARRIAGA

2 A C K N O W L E D G E M E N T

3

4 STATE OF NEW YORK)

5 :ss)

6 COUNTY OF KINGS)

7

8 I, CHARLES SALDARRIAGA, hereby
9 certify that I have read the transcript of my
10 testimony taken under oath on October 24,
11 2024, that the transcript is a true, complete
12 and correct record of what was asked,
13 answered and said during my testimony under
14 oath, and that the answers on the record as
15 given by me are true and correct.

16

17

18 -----
CHARLES SALDARRIAGA

19

20 Signed and subscribed to

21 Before me, this _____ day

22 Of _____, 20

23 -----

24 Notary Public

25



1 SALDARRIAGA

2 C E R T I F I C A T E

3

4

5 I, MARISA MCMAHON, a shorthand
6 reporter and Notary Public for and within the
7 State of New York, do hereby certify:

8 That the witness(es) whose testimony is
9 hereinbefore set forth was duly sworn by me,
10 and the foregoing transcript is a true record
11 of the testimony given by such witness(es).

12 I further certify that I am not related
13 to any of the parties to this action by blood
14 or by marriage and that I am in no way
15 interested in the outcome of this matter.

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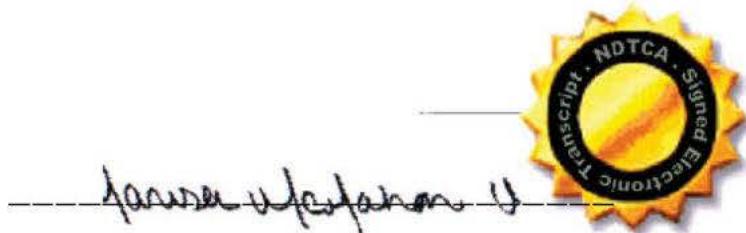
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MARISA MCMAHON



1 SALDARRIAGA

2 * E R R A T A *

3 CASE NAME:

4 DATE OF DEPOSITION:

5 NAME OF WITNESS:

6 PAGE LINE

7 ----- CHANGE:-----

8 REASON:-----

9 ----- CHANGE:-----

10 REASON:-----

11 ----- CHANGE:-----

12 REASON:-----

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14 REASON:-----

15 ----- CHANGE:-----

16 REASON:-----

17 ----- CHANGE:-----

18 REASON:-----

19 -----

20 WITNESS SIGNATURE

21

22 SUBSCRIBED AND SWORN TO BEFORE

23 ME THIS ____ DAY OF _____, 20____

24 -----

25 NOTARY PUBLIC MY COMMISSION EXPIRES _____

